

JANICE K. BREWER

Governor



HERBERT R. GUENTHER

Director

## ARIZONA DEPARTMENT OF WATER RESOURCES

3550 North Central Avenue, Second Floor  
PHOENIX, ARIZONA 85012-2105  
(602) 771-8500

Via US Mail

September 14, 2009

Roger Anderson  
Southwest Land Company  
685 Turquoise Street  
La Jolla, CA 92037

**Water Report 53-700625.0000**

**Subdivision Name:** Jordan  
Condominiums and Estates  
**Owner:** Southwest Land Company  
**Number of lots:** 16 multi-family units & 8  
single family lots  
**County:** Coconino  
Township 17 North, Range 6 East,  
Section 5  
**Annual Water Demand:** 16.17 acre-feet/year

**Water provided by:** Arizona Water Company-  
Sedona

**Water Type:** Groundwater  
**Current water depth:** 206 ft. below land surface

**Estimated 100-year depth:** 311 ft. below land surface  
**Current decline rate:** -0.6 ft. per year

**Basin:** Verde Valley

Dear Mr. Anderson:

Pursuant to A.R.S. § 45-108, the Department of Water Resources has reviewed the available information pertaining to the water supply for the above-referenced subdivision. This letter constitutes the Department's report on the subdivisions water supply as required by A.R.S. § 45-108(A).

Adequacy of the 100-year water supply was reviewed by the Department with regard to physical, legal and continuous availability, water quality, and financial capability. Information available to the Department indicates that the applicant has satisfied the adequate water supply requirements as set forth in A.A.C. R12-15-701 *et seq.* Therefore, the Department of Water Resources finds the water supply to be adequate to meet the subdivision's projected needs. Any material change to the subdivision plat or its water supply plans may invalidate this decision. See A.A.C. R12-15-708.

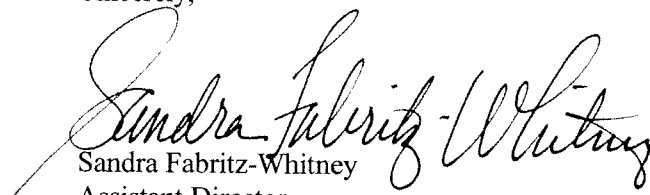
This letter is being forwarded to the Arizona Department of Real Estate as required by A.R.S. § 45-108. This law requires the developer to hold the recordation of the subdivision's plat until receipt of the Department's report on the subdivision's water supply. By copy of this report, the Coconino County Recorder is also being officially notified of the developer's compliance with the law. Because of the possibility that a future court proceeding could result in a legal determination that water withdrawn from wells in this area is surface water, the Department recommends that you include the following statement in all promotional material and contracts for sale of lots in the subdivision:

**“Pursuant to A.R.S. § 45-108 and A.A.C. R12-15-701 *et seq.*, the Department has determined that the water supply for the Jordan Condominiums and Estates subdivision is adequate, *i.e.* that the water supply is physically, continuously and legally available to satisfy the subdivision’s annual estimated water demand, that the water supply is of suitable water quality, and that the applicant has demonstrated the financial capability to construct adequate delivery, storage and treatment works. However, the legal availability of the water withdrawn from wells in this area may be the subject of court action in the future as part of a determination of surface water rights. Whether future court action will have an effect on the legal availability of the water supply for the proposed subdivision cannot be determined at this time.”**

Pursuant to A.R.S. § 41-1092.03, the Department is notifying you that the Director’s determination and decision to issue this Water Report is an appealable agency action. You are entitled to appeal this action. If you wish to appeal this action, you must file a written appeal within thirty (30) days from receipt of this letter. I am providing you with a summary of the appeal process and an appeal form, should you elect to pursue this option.

If you have any questions, please contact the Office of Assured & Adequate Water Supply at: 602-771-8599.

Sincerely,

  
Sandra Fabritz-Whitney  
Assistant Director  
Water Management Division

cc: Via Electronic Mail:  
Cindy Ferrin, Arizona Department of Real Estate  
City of Sedona Planning and Zoning  
Coconino County Recorder  
Chris Catalano, Southwest Ground-water Consultants, Inc.  
Richard Obenshain, Office of Assured and Adequate Water Supply